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FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 12 2023

SEAN F. MCAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY LEE ELWELL,

Defendant.

1:23-CR-2063-MKD

INDICTMENT

Vio: 21 U.S.C. § 841(a)(1),
(b)(1)(C)
Possession with Intent to
Distribute Fentanyl

21 U.S.C. § 853
Forfeiture Allegations

The Grand Jury charges:

On or about April 4, 2023, in the Eastern District of Washington, the
Defendant, GREGORY LEE ELWELL, did knowingly and intentionally possess
with the intent to distribute a mixture or substance containing a detectable amount
of N-phenyl-N-[1-(2-phenylethyl)] propanamide (a/k/a fentanyl), a Schedule II
controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

NOTICE OF CRIMINAL FORFEITURE

The allegations set forth in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841, as alleged in this Indictment, the Defendant, GREGORY LEE ELWELL, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense.

If any forfeitable property, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

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1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p).
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4 DATED this 12th day of December, 2023.
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6 A TRUE BILL
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